

Shasta LAFCO

Shasta Local Agency Formation Commission

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MINUTES

Special Meeting July 17, 2013

(These minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.)

CALL TO ORDER/ROLL CALL

Chairman Baugh called the meeting to order at 9:00 am at the Anderson City Council Chambers at 1887 Howard Street in Anderson. Commissioners Day, Giacomini, Haynes, Jones, Morgan and Russell were present. Executive Officer Amy Mickelson, Attorney Jim Underwood and Clerk/Analyst Marissa Jackson were present as staff. Alternate Commissioner Fust was present as a member of the audience. Commissioner Kehoe was absent.

PLEDGE OF ALLEGIANCE

Commissioner Day led the Pledge of Allegiance.

PUBLIC COMMENT

Jan Lopez requested items 4a Correspondence Received, 4b Minutes of June 13, 2013 and 6b South County Fire Districts SOI/MSR be pulled from the agenda. Terry Briggs spoke about Fall River Valley CSD's parks paperwork. Gary Cadd stated that the last meeting violated the Brown Act.

CONSENT CALENDAR

Commissioner Baugh pulled items 4a Correspondence Received and 4b Minutes of June 13, 2013 from the consent calendar. Commissioner Russell moved to approve the remainder of the consent calendar, the motion was seconded and passed. After discussion regarding the content of emails from Jan Lopez and the accuracy of the June 13, 2013 Minutes, a motion to adopt items 4a and 4b was made (Giacomini), seconded and passed with one dissenting vote (Jones).

OPERATIONS AND ADMINISTRATION

Don Reynolds, CPA, gave a report regarding the Fiscal Year 2012-13 audit and answered Commission questions. Barbara Briggs from Fall River Mills stated there was a lack of internal controls. Commissioner Jones suggested agendizing future controls. A motion to accept the Fiscal Year 2012-13 Audit as presented was made (Haynes) and seconded.

The Executive Officer reported that no applications for Alternate Public Member had been received. Commissioner Morgan suggested advertising the position again after reviewing or generating policy.

Ms. Mickelson presented an updated Municipal Services Review policy pursuant to Commission direction. LAFCO Legal Counsel Underwood outlined to the Commission a two-step approach to MSR/SOI updates work, with the first level to meet basic statutory requirements as determined necessary to result in more expedited and summary process, and with more detailed MSR and SOI updated to correspond with more complicated agency applications. There was then extensive discussion about the wording of proposed item #3, with several Commissioners suggesting that it should state that initial studies would be paid for by LAFCO and that only those districts proposing changes to their sphere of influence would be required to pay for a more detailed MSR/SOI update.

Terry Briggs stated that the Commission continues to pass the buck. David Coxey from Bella Vista Water District advised that he was unclear on who would prepare and pay for their MSR. Jerry Monath, Fall River Valley CSD Chair says there needs to be latitude regarding necessity. Alternate Commissioner Fust speaking as a Clear Creek CSD Director, stated that the policy should be adopted and that his agency does not want to pay additional fees. Jan Lopez stated that districts cannot do anything without an SOI or MSR.

A motion was ultimately made (Giacomini) and seconded to adopt the policies as presented by staff, consistent with the two-step approach outlined by LAFCO Counsel, with the changes proposed to item #3 and the addition of GC 56430(a)(7). Commissioners Jones and Haynes dissented and the motion passed.

Ms. Mickelson presented additional Executive Committee policy for clarification purposes pursuant to the Commission's direction at a previous meeting. After discussion, a motion was made (Giacomini) to adopt the policy with the following changes: include agenda review in item #3 and adding an item #4 which would specify a standing committee. The motion passed unanimously.

Ms. Mickelson advised that the Executive Committee seat held by Commissioner Haynes should be reconsidered since she and the newly elected Vice Chair both represent special districts. After discussion, Commissioner Baugh submitted John Day for consideration, which he accepted. A motion was made (Russell) and seconded to nominate Commissioner Day to the Executive Committee and passed unanimously.

A break was taken from 11:22 until 11:34.

SPECIAL STUDIES AND REPORTS

The Executive Officer provided a draft schedule for MSR and SOI studies, both first round and additional studies, pursuant to the Commission's direction at the June meeting. After conversation as to the necessity of consultants, it was determined that the schedule should reflect 'LAFCO Staff' rather than 'Consultant' for all agencies on proposed MSR/SOI work the schedule.

Jerry Monath advised that he would still like to meet regarding his district's bill and complete the MSR process. David Coxey stated that his district was previously exempted. Commissioner Fust speaking as a Clear Creek Community Services District board member questioned who would pay for consultants. Jan

Lopez stated that LAFCO could complete the studies. Terry Briggs reminded the Commission that Fall River Valley CSD's MSR was 95% complete.

After further discussion, a motion was made (Giacomini) and seconded to adopt the MSR/SOI Plan of Work with changes as directed.

Jim Underwood advised the Commission that it could proceed with the South County Fire Districts MSR/SOI as agendized. Jan Lopez stated that public notice was not given. It was subsequently determined that the issue would be added to the next agenda and re-noticed.

COMMISSIONER ANNOUNCEMENTS

Commissioner Baugh announced that there would be a water forum on September 18th at 6:00 pm at the Cottonwood Community Center.

STAFF ANNOUNCEMENTS

There were no staff announcements.

CLOSED SESSION

Pursuant to Government Code Section 54957, the Commission went into closed session at 12:42 pm and returned at 1:29 pm. A recess was taken from 1:35 pm until 1:40 pm at which time they reconvened to closed session. At 2:05 they came back and recessed again briefly before resuming and concluding the closed session at approximately 2:10 p.m.

Jim Underwood reported that there were no reportable actions taken.

ADJOURNMENT

There being no further business, Chairman Baugh adjourned the meeting at 2:15 pm.

ATTEST:

Marissa Jackson
Clerk to the Commission